

PUBLIC NOTICE

Notice is hereby given that the Massachusetts Department of Environmental Protection (MassDEP), under authority granted by the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26 – 53, is proposing to issue a federal Clean Water Act (CWA) section 401 certification for the U.S. Environmental Protection Agency's (EPA) proposed 2021 Draft NPDES Permit Modification (Modified Federal Permit) (MA Permit No. MA0003697) to Barnhardt Manufacturing Company for their Colrain facility's pollutant discharges to the North River (Deerfield River Watershed). Barnhardt Manufacturing Company is located at 247 Main Road, Colrain, MA 01340. The proposed section 401 certification and proposed modified Federal Permit are both available at <https://www.mass.gov/service-details/massdep-public-hearings-comment-opportunities>. Alternatively a copy of the documents can be obtained by contacting Xiaodan Ruan, MassDEP Surface Water Discharge Program, at 617-654-6517 or xiaodan.ruan@mass.gov. Written comments on the proposed section 401 certification will be accepted until 5:00 p.m. on May 19, 2021. During the state of emergency, MassDEP strongly encourages written comments to be submitted by email to massdep.npdes@mass.gov; subject line: Barnhardt Manufacturing Company. If not possible, please send by mail to Xiaodan Ruan, MassDEP Surface Water Discharge Program, Bureau of Water Resources, 1 Winter Street - 5th Floor, Boston 02108.

Following the close of the comment period, MassDEP will issue a final CWA section 401 certification and forward copies to the applicant and each person who has submitted written comments or requested notice.

For special accommodations, please call the MassDEP Diversity Office at 617-292-5751. TTY# MassRelay Service 1-800-439-2370. This information is available in alternate format upon request.

By Order of the Department

Martin Suuberg, Commissioner

DRAFT

Clean Water Act Section 401 Certification
For the Proposed 2021 Federal NPDES Permit Modification
For the Barnhardt Manufacturing Company
MA Permit No. MA0003697

The Massachusetts Department of Environmental Protection (MassDEP), having examined Barnhardt Manufacturing Company's National Pollutant Discharge Elimination System (NPDES) permit modification application for the Barnhardt Manufacturing Company, reviewed the United States Environmental Protection Agency (EPA) – Region 1's draft 2021 Federal NPDES permit modification (MA Permit No. MA0003697) for the Barnhardt Manufacturing Company issued April 20, 2021, and considered the public comments received on MassDEP's proposed Clean Water Section 401 Certification for the draft 2021 Federal NPDES Permit Modification for the Barnhardt Manufacturing Company, and in consideration of the relevant water quality considerations, hereby certifies that there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable state water quality standards.

To meet the requirements of Massachusetts laws, each of the conditions cited in the draft permit modification and this certification shall not be made less stringent unless new data or other information is presented and MassDEP determines modification of this certification is appropriate in consideration of the relevant water quality considerations.

If any condition in the draft 2021 Federal NPDES permit modification for the Barnhardt Manufacturing Company is changed during EPA's review in any manner inconsistent with this certification, the Department reserves the right to modify this certification in consideration of the relevant water quality considerations. In addition, the Department reserves the right to modify this certification if there is a change in Massachusetts law or regulation upon which this certification is based, or if a court of competent jurisdiction or MassDEP Office of Appeals and Dispute Resolution stays, vacates or remands this certification, as provided by 40 C.F.R. § 124.55.

Signed this ____ day of _____, 2021

Lealdon Langley, Director
Massachusetts Department of Environmental Protection
Bureau of Water Resources
Division of Watershed Management